THE CONDEMNATION OF Oliver Plunket

Titular Primate *and Arch Bp. of* Dublin *in* Ireland:

And likewise of

Edw Fitz Harris:

For High TREASON, *at the* KING'S-Bench *in* Westminster-Hall, *June* 15. 1681.

THE Court being set, *Oliver Plunckat* was brought to the Bar, and Mr. Attorny General moved in behalf of the King for Judgment against the Prisoner, whereupon he was Ordered to hold up his Hand, and demanded what he had to say, why Judgment of Death should not be pronounced against him, for the *High Treason*, upon which he was lately Arraigned and found Guilty of in that Court.

Whereupon Mr. *Plunckat* insisted upon his want of Evidence, whom he expected should have appeared on his behalf at his Tryal, likewise the improbability of the Evidence against him, since the place where they Deposed an Army was to be Landed, was not capable of receiving them: and that it was not possible for him to raise so much money in *Ireland* as should maintain them; he also insisted upon the Jury, alleadging that the Laws of *England* are so favourable to take a Jury out of the place where the Fact was Committed, that they may the better judge of Times, Places, and other Circumstances; He acknowledged he was a Priest and a Bishop in that Kingdom, which he said was not Treason there, and that while there was connivance, till the Proclamation did forbid him, he did Exercise his Function there; concluding with many Protestations of his Innocency.

The Court having with Patience heard what he could say, proceeded to Sentence; and he was told, He had been Convicted of the greatest and most horrid of all Crimes, even Treason of the highest nature; Treason against God, his King and Country: against God, in endeavouring to bring-in a false Religion, and the most pernicious of all others whatsoever; for whereas True Religion teaches men their Duty to God and man, this on the coutrary, teaches men (for advancing the Church, to commit all manner of Villanies and Treasons: and as it was against God, so certainly he had committed a very high Crime against his Lawful Prince, since the Design was to be carried on by taking away his Life, to whom he owed all manner of Allegiance and Obedience; and though he had alledged That it was not Treason to be a Bishop or a Prelate in *Ireland*; yet the Court told him, That for the Pope to set up Bishops and Prelates in His Majesties own Kingdom, against His Majesties Authority, though it were not formal Treason, yet it seemed to be of a Treasonable nature, since it set up another Power against his natural Prince: and then the Design was likewise to have brought Blood and Destruction upon the poor People of *Ireland*, which had been fully proved against him.

And as to what he alledged of being Tryed in the same place where the Fact was Committed, he was told, That the Law whereby he was Tryed, was not made with a Design to ensnare him, but that there were many Presidents and Examples, that divers have been Arraigned and Condemned in *England* for Treason Committed in *Ireland*.

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He was then told, he was near his End, and that it appeared he had lived in a falſe and wicked Religion for a long time, but yet there was room for Repentance even to the laſt, which the Court wiſhed he might have Grace to make uſe of: But all the buſineſs of the Court was to tell him, what the Law ſaid, ſince there was no room for Mercy in that Court, but they were bound to pronounce Judgment againſt him, and the Judgment of the Court was, *That he muſt go from thence to the place from whence he came, and be drawn from thence through the City of* London *to* Tyburn, *and there be Hanged by the Neck, and to be cut down before he was Dead, and his Bowels to be cut out and Burned before his Face, his Head to be cut off, his Body to be divided into four Quarters, and to be diſpoſed of as his Majeſty ſhall think fit.* The Court beſeeching God to have Mercy upon his Soul.

Mr. *Plunket* then deſired the favour, that his Man might be permitted to come to him, which the Court allowed, and likewiſe told him, he might have a Proteſtant Miniſter come to him to diſcourſe with him, but he declined it, ſaying, *He could do his buſineſs himſelf.*

A While after Mr. *Edward Fitz-Harris,* was brought into Court, and the ſame Queſtions were demanded of him, as of Mr. *Plunket*; that is, What he could ſay, why Judgment of Death ſhould not be pronounced againſt him?

Mr. *Fitz-Harris* ſaid, He was one of the Kings Evidence, and deſired Time; But the Court told him, they could take no notice thereof, and he was now to offer ſome matter of Law why Sentence ſhould not paſs upon him? to which he had little or nothing to ſay, and thereupon the Court proceeded and told him.

That he had been Indicted for Treaſon of the higheſt Magnitude, even for deſigning the Ruin and Deſtruction of the King and the whole Kingdom; a Treaſon, which if it had not pleaſed God, mercifully to Diſcover and Prevent, would have brought all the Nation into Blood and Miſery, and that he had put himſelf upon his Countrey for his Tryal, who had found him Guilty of the ſame: He was therefore adviſed ſeriouſly to conſider of the heinouſneſs of his Crime, which was to deſtroy his Majeſty, and with him the beſt of his Subjects, to which end he had prepared that Curſed Treaſonable Libel, which was intended on purpoſe to ſtir up the People to Sedition and Rebellion, a Crime againſt mankind, ſince it would have engaged them to have Murdered and Deſtroyed one another, and could have no pretence of bringing any benefit or advantage to the people of *England*, being intended only for Miſchief and Deſtruction.

He was farther told, That it appeared he was an *Iriſh* Papiſt, and that he had formerly inſtilled very Wicked and Dangerous Principles into the minds of the People of that Kingdom, and had now endeavoured to ſet this Nation in a Flame by his Treaſonable Practices, thereby to bring in the Popiſh Religion among us, but that it hath pleaſed God to deliver us out of their hands, and to bring him to Juſtice; and the Court were now to pronounce the Judgment which the Law paſſeth upon ſuch notorious Offendors.

Then the ſame Sentence was pronounced againſt him, as againſt *Pluncket*; After which Mr. *Fitz-Harris* deſired that his Wife might come to him, which the Court told him, was not denied him: he ſaid, ſhe could not come to him, and deſired a Rule of Court for it; the Court told him, ſhe was never forbid by them to come to him, and therefore there needed no Rule, but if ſhe were confined upon any other Accouut, they could take no notice thereof: Mr. *Fitz-Harris* then deſired liberty for any Friend to come to him, which was readily granted, and ſo he was carried out of Court, by the Warders of the *Tower*, and from thence he was ſent back by Water to the *Tower*.

Theſe are ſome brief Notes of this days proceedings, but we hear that an exact Account of his Tryal *and* Condemnation *will be ſuddenly Publiſhed, to which we refer the Reader.*

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